UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

JOHN HEYKOOP doing business as EAGLE TOWING,

NO. 1:18-cy-00632

Plaintiff,

HON. ROBERT J. JONKER

 \mathbf{v}

MAG. PHILLIP J. GREEN

MICHIGAN STATE POLICE, DAVID ROESLER, JEFFREY WHITE, and CHRIS McINTIRE,

Defendants.

Christopher Scott Patterson (P74350) John Seamus Brennan (P55431) Fahey Schultz Burzych Rhodes PLC

Attorney for Plaintiff 4151 Okemos Road Okemos, MI 48864

517.381.0100

Patrick S. Myers (P81444) Assistant Attorney General Attorney for Defendant Complex Litigation Division P.O. Box 30736 Lansing, MI 48909 517.335.3055

DEFENDANTS JEFFREY WHITE AND CHRIS MCINTIRE'S MOTION TO MODIFY SCHEDULING ORDER

Defendants Jeffrey White and Chris McIntire, by counsel, submit this motion pursuant to Fed. R. Civ. P. 16(b)(4) to modify the Court's scheduling order.

Pursuant to Local Civil Rule 7.1(d) of the U.S. District Court for the Western

District of Michigan, concurrence in the relief requested was sought from counsel for Plaintiff on February 8, 2019, but concurrence was not forthcoming. Defendants

White and McIntire respectfully request that the Court extend all pending deadlines by two months, and grant any other appropriate relief.

Respectfully submitted,

Dana Nessel Attorney General

/s/Patrick S. Myers

Patrick S. Myers (P81444) Assistant Attorney General Attorney for Defendants Complex Litigation Division P.O. Box 30736 Lansing, MI 48909 517.335.3055 myersp4@michigan.gov P81444

Dated: February 8, 2019

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2019, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing of the foregoing document as well as via US Mail to all non-ECF participants.

/s/Patrick S. Myers

Patrick S. Myers (P81444) Assistant Attorney General Attorney for Defendants Complex Litigation Division P.O. Box 30736 Lansing, MI 48909 517.335.3055 myersp4@michigan.gov P81444